

EXHIBIT 1

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

**NAJVA FARSHID, on behalf of her
child, E.K., a minor,**

Plaintiffs,

vs.

Civil Action No. 4:22-cv-00821-ALM

**ALLEN INDEPENDENT SCHOOL
DISTRICT, through its Board of
Trustees; JULIE YOUNG, in her official
and individual capacity; TERREVA
BRYANT, in her official and individual
capacity; CRYSTAL BUNCH, in her
official and individual capacity; DOUG
WILHELM, in his official and individual
capacity; DOE DEFENDANTS 1-20,
inclusively,**

Defendants.

DECLARATION OF KIM McLAUGHLIN

1. My name is Kim McLaughlin. I am over 18 years of age, I am mentally competent, and have personal knowledge of the facts stated in this Declaration, which are all true and correct. I make this Declaration under the penalty of perjury.

2. I am the Assistant Superintendent of School Leadership & Support for Allen Independent School District. Part of my duties and responsibilities include being a custodian of the school district's student and campus records.

3. Attached to this Declaration are true and correct copies of the following documents from the student and campus records of E.K., the daughter of Plaintiff Najva Farshid:

A. Exhibit A – E.K.'s Admission, Review, and Dismissal/Individualized Education Program (ARD/IEP) Committee Report, including E.K.'s Behavior Intervention Plan (personal information redacted)

B. Exhibit B – Written statement of Julie Young

- C. Exhibit C – Written statement of Terreva Bryant**
- D. Exhibit D – Allen ISD Special Services Written Summary of Restraint Use completed by Terreva Bryant**
- E. Exhibit E – Written Statement of Doug Wilhelm**
- F. Exhibit F – Written Statement of Amy Sanford**
- G. Exhibit G – Written Statement of Roberto Yanez**

Signed on November 9, 2022.


Kim McLaughlin

EXHIBIT A

ALLEN INDEPENDENT SCHOOL DISTRICT
ADMISSION, REVIEW, AND DISMISSAL/INDIVIDUALIZED EDUCATION
PROGRAM (ARD/IEP) COMMITTEE REPORT

Name: E [REDACTED] K [REDACTED]	ID#: [REDACTED]	School: Ford Middle School	School Phone: 9727270590
Date of Birth: [REDACTED]	Grade: 8th Grade		
The Student is represented by: Mother			
Parent/Guardian/Adult Student/Surrogate Parent: Najva Farshid		Phone 1: (972) 900-2191	
Parent Address: 924 Meadow Mead Dr		Phone 2: (972) 900-2191	
City: Allen Zip: 75002		Date: 08/27/2020	

ARD/IEP Committee Meeting General Information

- ☐ Parent is in attendance. ☒ Parent was unable to attend the ARD/IEP meeting.

Give the date permission was granted by parent to proceed with meeting and the name of staff member who received information:
Parent gave permission to proceed with review ARD.

- ☐ Yes ☒ No An interpreter was needed and used to assist in conducting the meeting for parent(s) with deafness or whose native language is other than English. If Yes, specify the language or other mode of communication.

The meeting is audiotaped by: ☒ Not Applicable ☐ Parent ☐ School District ☐ Adult Student

I. THE PURPOSE OF THIS MEETING

Review

- | | | |
|---|---|--|
| <input type="checkbox"/> Identification | <input checked="" type="checkbox"/> Program (IEP) | <input type="checkbox"/> Manifestation Determination Review |
| <input type="checkbox"/> Evaluation | <input type="checkbox"/> Promotion | <input type="checkbox"/> Parent Request |
| <input type="checkbox"/> Discipline | <input type="checkbox"/> Graduation | <input type="checkbox"/> Additional Evaluations |
| <input type="checkbox"/> Transition | <input type="checkbox"/> ESY | <input type="checkbox"/> Re-Evaluation (REED) |
| <input type="checkbox"/> Dismissal | <input type="checkbox"/> Placement | <input type="checkbox"/> Consider Need for Compensatory Services |

Name: E [REDACTED] K [REDACTED]

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II. INFORMATION REVIEWED AND CONSIDERED

Full and Individual Evaluation Report

Date: 11/06/2019

Full and Individual Evaluation Summary

Based on the evaluation data collected, E [REDACTED] continues to meet criteria as a student with an Emotional Disturbance. E [REDACTED] also demonstrates an educational need for the related service of Special Education Counseling.

State Assessment Results:

May 2019 STAAR Mathematics, Grade 6-63% Meets Grade Level
May 2019 STAAR Reading, Grade 6-80% Meets Grade Level

District Wide Assessment Results:

19-20 Math Benchmark, Gr7-80% Meets
19-20 Reading Benchmark, Gr7-79% Approaches
19-20 Science Benchmark, Gr7-83% Meets
19-20 Texas History Benchmark, Gr7-72% Approaches

Information from the parent(s) for enhancing the education of the student:

Continued educational and behavioral growth

Age appropriate transition and functional vocational evaluation information:

Not age appropriate at this time

Progress on the previous year's annual goals and benchmark / short-term objectives (applicable to all but initial ARD committee meetings):

See IEP progress report

- ☒ No additional evaluation(s) data is requested.
- ☐ Yes, additional evaluation(s) data is requested (e.g., 3-year evaluation, ARD/IEP Committee request, parent request, teacher request).

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III. DETERMINATION OF ELIGIBILITY FOR SPECIAL EDUCATION AND RELATED SERVICES

Determining Disability Condition Criteria

Based on the evaluation data reviewed, the ARD/IEP Committee has determined that the student:

☐ *does not meet the disability condition criteria to receive special education and related services.* ☒ *meets the disability condition criteria to receive special education and related services.*

AND

☒ Yes ☐ No by reason of the disability/disabilities has a need for special education and related services.

Determining Eligibility to Receive Special Education and Related Services

Before the ARD/IEP Committee determines that the student has a disability and needs special education, the ARD/IEP Committee must conduct a determinant factor analysis. A student may not be determined eligible if the determinant factor for that eligibility is: a lack of appropriate instruction in reading (including essential components of reading instruction), lack of appropriate instruction in math and/or limited English proficiency.

☐ No ☒ Yes Based on disability condition criteria and determinant factor analysis, it has been determined that this student is eligible for special education services under the following disability categories:

(1) - Emotional Disturbance

Special education services are reviewed at least annually and at each review, the ARD/IEP Committee determines whether a student continues to need these services or should be dismissed from receiving special education.

Special education services are projected to begin on 08/28/2020 and will be implemented through 11/15/2020

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IV. DEVELOPMENT OF THE INDIVIDUALIZED EDUCATION PROGRAM AND CONSIDERATION OF SPECIAL FACTORS:

PLAAFP 34 CFR §300.320

Present Levels of Academic Achievement and Functional Performance: (PLAAFP) 34 CFR §300.320

The IEP must include a statement of the child's present levels of academic achievement and functional performance including how the child's disability affects the child's involvement and progress in the general education curriculum; or for preschool children, as appropriate, how the disability affects the child's participation in appropriate activities.

The following information is derived from: Full and Individual Evaluation (FIE) data, documentation from classroom performance, teacher information, parent/student information, curriculum based and standardized assessments, observations, and/or student work samples.

Academic/Functional/Other (Provide academic/functional information for each area identified in the current evaluation that interferes with the student's progress in the general education curriculum.)

Cognitive Abilities - Cognitive Abilities

The student needs goals and/or accommodations to address the following area of need:

None: The student does not display deficits in cognitive ability which impact progress.

Present Levels of Academic Achievement and Functional Performance:

Per the FIE dated 5/22/17 from Frisco ISD, E [REDACTED] did not demonstrate any normative weaknesses in her cognitive processing skills.

Academic Performance - Reading

The student needs goals and/or accommodations to address the following area of need:

None: Student meets grade level expectations in reading.

Academic Performance - Writing

The student needs goals and/or accommodations to address the following area of need:

None: The student meets grade level expectations in writing.

Academic Performance - Math

The student needs goals and/or accommodations to address the following area of need:

Calculation

Present Levels of Academic Achievement and Functional Performance:

E [REDACTED] struggles solving multi step problems efficiently.

Academic Performance - Science

The student needs goals and/or accommodations to address the following area of need:

None: The student meets grade level expectations in Science.

Academic Performance - Social Studies

The student needs goals and/or accommodations to address the following area of need:

None: The student meets grade level expectations in Social Studies.

Functional - Functional Skills

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The student needs goals and/or accommodations to address the following area of need:

Not applicable for this student due to enrolled grade level.

Behavioral - Behavioral

The student needs goals and/or accommodations to address the following area of need:

Focus and Concentration

Time required to complete a task

Social Skills: Peers

Social Skills: Adults

Emotional Regulation

Verbal Aggression

Work Completion

Present Levels of Academic Achievement and Functional Performance:

According to teacher information, E [REDACTED] likes to be viewed as a group leader, particularly in Science. She also shares supplies in class and likes to participate in classroom discussions. Baseline data related to areas of concern regarding E [REDACTED] behavior and emotional regulation indicate that she is demonstrating weaknesses in seeking teacher attention appropriately in class, interrupting conversations with impulsive comments, and struggles with staying on task. E [REDACTED] also has difficulty accepting corrective feedback from others and completing assignments in a timely manner.

Speech/Language - Speech/Language Factors

The student needs goals and/or accommodations to address the following area of need:

None: The student exhibits appropriate communication skills.

Physical - Physical

The student needs goals and/or accommodations to address the following area of need:

None: The student does not exhibit mobility, vision, hearing or motor concerns.

Accommodation	Reading	ELA	Math	Science	Social Studies	Electives
Access to case manager, counselor, house office, or other assigned staff member	✓	✓	✓	✓	✓	✓
Allow for preferential seating	✓	✓	✓	✓	✓	✓
Reminders to stay on task	✓	✓	✓	✓	✓	✓
Break large assignments into two or more component assignments	✓	✓	✓	✓	✓	
Clearly defined behavioral limits/expectations	✓	✓	✓	✓	✓	✓
Extra time to complete assignments - up to 1 day	✓	✓	✓	✓	✓	
Give positive/concrete reinforcement	✓	✓	✓	✓	✓	✓
Provide feedback regarding behavior in private	✓	✓	✓	✓	✓	✓
Calculation Aids - Calculator			✓	✓		

Goals and Objectives

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- ☐ Yes ☒ No The ARD/IEP Committee reviewed achievement on each of the previous year's goals and short-term objectives on the IEP, including a discussion of how the student's disability affects involvement and progress in the general education setting. NOTE: This is applicable to all but initial ARD/IEP meetings)
- ☒ Yes ☐ No Previous IEP goals and if applicable, objectives from ARD/IEP meeting held on 11/15/2019, remain in effect.

Measurable Annual Goal: Educational goals are developed in collaboration with all service providers supporting the student. A statement of measurable annual goals, including academic and functional goals are designed to: (a) meet the student's needs that result from the student's disability to enable the student to be involved and make progress in the general education curriculum; and (b) meet each of the student's other educational needs that result from the student's disability; and (c) facilitate the student's transition from school to post-school activities.

Objectives are needed for the student who: (a) requires extensive modifications and accommodations to classroom instruction, assignments, and assessments to access and demonstrate progress in the grade-level Texas Essential Knowledge and Skills* (TEKS), (b) has a significant cognitive disability and is receiving instruction that is linked to the grade level curriculum through prerequisite skills, and/or (c) has some measurable goals that are more effectively implemented or measured when short-term objectives are included.

ANNUAL GOAL:

Behavioral

Curriculum/Service Area: Behavior

Goal Begin Date: 08/28/2020

Measurable Annual Goal:

Given an assignment or project, with no more than 2 verbal or visual cues or reminders, E [REDACTED] will start working on the assignment or project within two minutes.. Progress will be determined using the following measurement criteria: percent accuracy. E [REDACTED] will achieve 80 percent accuracy by 11/15/2020.

To be implemented by: Special Education Teacher, General Education Teacher

Time frame when this goal will be reviewed and sent home to parent: Every 9 weeks

Curriculum/Service Area: Study Skills

Goal Begin Date: 08/28/2020

Measurable Annual Goal:

Given an assignment or project, with no more than 1 verbal or visual reminder, E [REDACTED] will complete and turn in the assignment or project within a given time frame or by a specific due date. Progress will be determined using the following measurement criteria: percent accuracy. E [REDACTED] will achieve 80 percent accuracy by 11/15/2020.

To be implemented by: Special Education Teacher

Time frame when this goal will be reviewed and sent home to parent: Every 9 weeks

Curriculum/Service Area: Behavior

Goal Begin Date: 08/28/2020

Measurable Annual Goal:

Given pre-taught classroom expectations and strategies, with no more than 2 verbal or visual cues or reminders, E [REDACTED] will obtain

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teacher's attention by raising her hand and wait to be called on before sharing information with the class or teacher. Progress will be determined using the following measurement criteria: percent accuracy. E██████████ will achieve 80 percent accuracy by 11/15/2020.

To be implemented by: Special Education Teacher, General Education Teacher

Time frame when this goal will be reviewed and sent home to parent: Every 9 weeks

Curriculum/Service Area: Behavior

Goal Begin Date: 08/28/2020

Measurable Annual Goal:

Given a verbal prompt, pre-taught calm down strategies and social skills, E██████████ will use a calm voice tone without profanity with peers / adults when she is becoming visibly agitated. Progress will be determined using the following measurement criteria: percent accuracy. E██████████ will achieve 80 percent accuracy by 11/15/2020.

To be implemented by: Special Education Teacher, General Education Teacher

Time frame when this goal will be reviewed and sent home to parent: Every 9 weeks

Curriculum/Service Area: Behavior

Goal Begin Date: 08/28/2020

Measurable Annual Goal:

Given pre -taught calm down strategies, E██████████ will use a strategy to reduce agitation when being given corrective feedback or re-directions from school staff. Progress will be determined using the following measurement criteria: percent accuracy. E██████████ will achieve 90 percent accuracy by 11/15/2020.

To be implemented by: Special Education Teacher, General Education Teacher

Time frame when this goal will be reviewed and sent home to parent: Every 9 weeks

Curriculum/Service Area: Counseling

Goal Begin Date: 08/28/2020

Measurable Annual Goal:

Given counseling experiences related to emotional regulation and with verbal prompting, E██████████ will develop insights regarding personal behaviors that contribute to conflict in real and simulated situations. Progress will be determined using the following measurement criteria: trials. E██████████ will achieve 3/5 trials by 11/15/2020.

To be implemented by: special education counselor

Time frame when this goal will be reviewed and sent home to parent: Concurrent with the issuance of report cards

Curriculum/Service Area: Counseling

Goal Begin Date: 08/28/2020

Measurable Annual Goal:

Given counseling experiences related to emotional regulation and with verbal prompting, E██████████ will develop coping skills to regulate emotional intensity in real and simulated situations. Progress will be determined using the following measurement criteria: trials. E██████████ will achieve 3/5 trials by 11/15/2020.

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To be implemented by: special education counselor

Time frame when this goal will be reviewed and sent home to parent: Concurrent with the issuance of report cards

Curriculum/Service Area: Counseling

Goal Begin Date: 08/28/2020

Measurable Annual Goal:

Given counseling experiences related to emotional regulation and with verbal prompting, E██████████ will practice self-control behaviors in real and simulated situations. Progress will be determined using the following measurement criteria: trials. E██████████ will achieve 3/5 trials by 11/15/2020.

To be implemented by: special education counselor

Time frame when this goal will be reviewed and sent home to parent: Concurrent with the issuance of report cards

Curriculum/Service Area: Counseling

Goal Begin Date: 08/28/2020

Measurable Annual Goal:

Given counseling experiences related to emotional regulation and with verbal prompting, E██████████ will recognize the difference between reactive behavior and self-control behaviors. Progress will be determined using the following measurement criteria: trials. E██████████ will achieve 3/5 trials by 11/15/2020.

To be implemented by: special education counselor

Time frame when this goal will be reviewed and sent home to parent: Concurrent with the issuance of report cards

Name: **Edison, K.**

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Supplementary Aids and Services

Personal Care Services

Frequency: Num Sessions: 1 per Day
Duration: Session Length: 7 hour(s)
Service Type: Individual
Location: In All School Settings/Activities
Begin Date: 08/28/2020
End Date: 11/15/2020

Supplementary Aids and Services:

Prompting/Cueing/Redirection, Monitoring/Observation/Supervision

☒ Yes ☐ No Supplementary aids and services are provided throughout the entire day.

☐ Yes ☒ No The IEP contains goals and objectives that address the attainment of functional life skills.

☐ Yes ☒ No The student needs assistance transitioning throughout the school day as well as upon bus arrival, bus departure, and bus escort.

The student is under the age of 14 and the ARD committee determined that a transition plan is not required at this time.

Behavior Considerations

☒ Yes ☐ No The student exhibits significant behavioral challenges which adversely affect his/her educational performance or the learning of others.

Review of Discipline/Behavior Records:

See Behavior Intervention Plan for targeted behaviors.

Physical competencies, as it affects participation in instructional settings and physical education:

Good General Health

☐ Yes ☒ No Student has health/medical needs which may impact his/her involvement or progress in the general curriculum.

FITNESSGRAM (For students in grades 3-12 only): Only students (with or without disabilities) who have been "restricted" in accordance with TAC §74.31, shall not participate in the administration of the FITNESSGRAM. On the basis of health, this student is classified as:

☒ Unrestricted: (not limited in activities) The student will participate in the Fitnessgram without modifications.

CPR Instruction

The student will participate in required CPR instruction at least once before graduation while enrolled in grades 7-12.

Assistive technology considerations based on the Texas 4-Step Model:

☐ Yes ☒ No The student has AT needs that are addressed through Supplementary Aids and Services, Special Education and Related Services.

The ARD Committee, with parent and teacher input and with documentation of progress, anticipates that the student will be able to participate in the educational program, accomplish expected tasks, and make reasonable progress toward mastery of IEP goals and objectives with typically available supports and services.

Determination of Need for Intensive Program of Instruction

The student does not require an Intensive Program of Instruction.

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Determination of Need for an Accelerated Instruction Plan

The student does not require an Accelerated Instruction Plan (AIP) in the area of reading.

The student does not require an Accelerated Instruction Plan (AIP) in the area of math.

For a Student with Autism or Other Pervasive Developmental Disorder

☒ Not Applicable

☐ The student has a diagnosis of Autism or another pervasive developmental disorder.

Determination of Services for a Student Determined as Limited English Proficient (LEP)

☐ No, student is not classified as Limited English Proficient.

☒ Yes, student is classified as Limited English Proficient.

☐ Admission ☐ Review ☒ Exit

For initiation or continuation of services in a bilingual or English as a Second Language (ESL) program, the ARD/IEP Committee in conjunction the Language Proficiency Assessment Committee must review all pertinent information including the results of the appropriate assessment(s) used to indicate if the student is a student with limited English proficiency. Describe the information reviewed, including state and districtwide assessments:

Information from Home Language Survey dated: 08/22/2011

Language spoken at home most often: FARSI

Language spoken by student most often: FARSI

Information from parent/guardian:

☒ Refer to ARD documentation

☐ Other

Information from Special Education assessment personnel:

☒ Refer to ARD documentation

☐ Other

Information from Observation:

☒ Refer to ARD documentation

☐ Other

Information from Language Proficiency Assessments:

Reading		
Test	Criteria	Comments
<input type="checkbox"/> ITBS Total Reading		
<input checked="" type="checkbox"/> TELPAS Reading	Advanced	Spring 2019
<input type="checkbox"/> Other:		
<input type="checkbox"/> Unable to assess		
Writing		
Test	Criteria	Comments
<input type="checkbox"/> Idea Proficiency Writing		

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<input checked="" type="checkbox"/> TELPAS Writing	Advanced High	Spring 2019
<input type="checkbox"/> Other:		
<input type="checkbox"/> Unable to assess		
Listening		
Test	Criteria	Comments
<input type="checkbox"/> Woodcock Munoz		
<input checked="" type="checkbox"/> TELPAS Listening	Advanced High	Spring 2019
<input checked="" type="checkbox"/> TELPAS Speaking	Advanced High	Spring 2019
<input type="checkbox"/> Unable to assess		
<input checked="" type="checkbox"/> Other: LAS Link	Above Proficient	8/20/20

Based on the information reviewed, the ARD committee in conjunction with the LPAC agrees the student needs the following:

- ☐ Bilingual Education
☐ ESL Program
☐ Other

For exit of a student from a bilingual education or English as a second language program

At the end of the school year in which a student with a disability received special language services from a bilingual education or English as a second language program, the ARD/IEP Committee in conjunction with the LPAC Committee may exit a student from the bilingual education or English as a Second Language program based on the review and determination below. The student must meet:

- ☒ LEP exit criteria established for students without disabilities.

Determination of Services for a Student who is Deaf or Hard of Hearing

The student is not classified with an auditory impairment disability, therefore this section does not apply.

Determination of Services for a Student who is Blind or Visually Impaired

The student is not classified with a visual impairment disability, therefore this section does not apply.

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Behavior Intervention Plan (BIP)

The student requires a Behavior Intervention Plan (BIP).

Behavior Intervention Plan

Target Behavior 1:

Erika has difficulties controlling her frustration and anger. She has been verbally aggressive to adults and peers, by making verbal threats to physically harm peers, using profanity when speaking with authority figures at school, making rude comments towards others, and has become argumentative with staff. Her responses can also include shut down behaviors- where she will not talk or respond to school staff. Erika has left rooms as she slammed doors in the school building and threw books across the office.

Setting:

The behavior is likely to occur in the following setting(s) and/or situation(s):

- Teacher Attention to Other
- Direction Given
- Corrective Feedback Given
- New Task
- Setting Events
 - Hallway
 - Gen. Ed
- Denied Access/Told "No"

Function(s) of Behavior:

- To gain attention from peer
- To gain attention from adult

Desired Replacement Behavior:

Erika will use pre-taught coping strategies to reduce feelings related to anger or frustration towards school staff. This might include requesting a cooling off period when she starts to get frustrated. She can go talk with a counselor or an identified staff member, or access a pre-taught safe place for a predetermined amount of time before speaking with an adult about her behavior.

Prevention - Antecedent Interventions/Changes to Environment:

- Staff should speak with Erika about her likes and interests in the hallway or before starting classes. Develop a positive, collaborative relationship with her. She is likely to not be trusting of staff members who's interests in her is not genuine. Spend two minutes a day for ten consecutive school days talking with her about her interests.
- Clearly state and refer to posted classroom expectations.
- Let her be a leader in front of peers. Call on her to respond to discussions or to provide responses to questions posed to the whole class, particularly when you know she will be confident and successful at it. This might mean checking in with her as she enters the room to see if she would like to be called on to answer questions or participate that day. Give her a choice beforehand so she will know what to expect.
- Strategically seat Erika in the classroom. This might mean seating her close to your point of instruction, near peers she feels good around and who are likely to encourage positive participation, or near the teacher's desk. Work with her to allow her some choice in where she sits, and if needed, move her seat to help her be more productive if she is not successful.
- Prompt her to use pre-taught calming strategies when visible signs of agitation or frustration are noted. DO THIS PRIVATELY.
- If she is feeling agitated upon entering the classroom, do not immediately engage her in conversations about her behavior. Give her some time to cool off or prompt her to use a pre-taught strategy.
- DO NOT ENGAGE IN A VERBAL POWER STRUGGLE WITH HER. Use verbal de-escalation strategies such as being empathetic with how she is feeling, even if you do not agree with it; be nonjudgmental with your verbal and nonverbal behaviors; respect her personal space; avoid overreacting to her emotions and their outbursts; ignore challenging questions or statements from her. Give all corrective feedback privately and do not engage in a discussion about it. State the expectation and walk away from her, giving her time to comply. Use of a timer might be beneficial.
- If teachers see her becoming upset or angry, privately ask her to leave the classroom and return to the PAS classroom.

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Teaching - Behaviors/Skill Building:

Teach and implement a way for E. [REDACTED] to check-in/check-out daily with an identified staff member to identify how she is feeling and possible triggers. Teach E. [REDACTED] calming strategies to implement in the school when she is feeling upset, agitated, and/or angry. Identify a person and a time when this teaching will occur to ensure consistency in the delivery model of such skills.

Staff Responses to Target Behavior:

Should E. [REDACTED] engage in negative behaviors as identified above related to feelings of frustration or anger, the following responses should be used by all staff members to ensure consistency:

- Respect her personal space. Acknowledge privately how she is feeling. Tell her you can see she is mad by stating what she is doing. (e.g. "You're feeling upset because I didn't acknowledge you during class discussions.")
 - Remind her she can use a calling strategy and/or suggest she use one.
 - Ask her if she would like to have some cooling off time to regroup.
 - Remain calm and neutral when speaking with her and don't get defensive even if the insults are directed at you.
 - State the behavior expectation and tell her what you will do (e.g. "I'm going to give you five minutes and check back in with you.")
- Set these limits for her. Give her time to comply with your expectation.

If she continues to be disruptive, contact the PAS classroom, the school counselor and/or campus administration for assistance. Try to remove her peer audience as much as possible. Call her mother when her behavior escalates. Ask her "Do you want your mom to see you in this situation?" per parent request.

For all threats of harm towards self or others, do not leave the student unattended and contact campus administration immediately.

Staff Responses to Desired Replacement Behavior:

- Provide positive and genuine praise to her for using a strategy.
- Tell her when you see she is making progress, no matter how small the progress might be.
- Allow her time to access a preferred reinforcer at the end of the class period or other pre-determined time during the day for demonstration of desired behaviors.
- Send positive notes/call/emails home to her parents to let them know how hard she is working on controlling her emotional reactions.

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V. Schedule of Instructional and Related Services:

Transportation as a Related Service:

Is special transportation required? ☒ No ☐ Yes

Instructional Services

Semester: Fall 2020-2021				
Subject	Progress Determined By	Duration	Frequency	Location
Study Skills - PAS	Special Ed	50 minute(s)	1 per Day	Special Education

Determination of Grading Decision

The student will be graded according to district grading policies and procedures.

Related Services

Semester: Fall 2020-2021					
Related Services	Duration	Frequency	Location	Type of Service Delivery	Service Begin/End Dates
Special Education Counseling - Direct	30 minute(s)	1 per 2 weeks	Special Education (Flexible locations on campus)	Direct	08/28/2020 - 11/15/2020

VI. STUDENT ASSESSMENT:

The decision to use a particular accommodation with any student should be made on an individual basis and should take into consideration (a) the needs of the student and (b) whether the student routinely receives the accommodation in instruction and testing. If a student receives special education services, all testing accommodations that are not part of the standard assessment procedures must be documented in the student's IEP. Refer to the Texas Education Agency manual, Revised ARD *Committee Decision-Making Process for the Texas Assessment Program*.

State and District Assessments

- ☐ Student is not classified as LEP ☒ Student is classified as LEP
- ☐ Student is not taking a state assessment
- ☐ For students taking STAAR Alternate, parents have been notified the student's achievement will be based on alternate achievement standards.

Indicate the grade level and school year the student will be enrolled at time of testing.

2020-2021

school year

It is recommended that the student participates in district administered college readiness testing opportunities (i.e. PSAT).

Grade: 8th Grade

Participation Area	Assessment Decision	Participation Level	Accommodations
Grade 8 - Benchmarks	District	Student will take this version of the test	
Rationale: 2. Receives TEKS-based instruction with allowable assessment accommodations			
Grade 8 - Simulations	District	Student will take this version of the test with accommodations	Reminders to stay on task

Name: **Redacted**

ARD Meeting Date: 08/27/2020

ALLEN INDEPENDENT SCHOOL DISTRICT
Office of Special Education Services

Rationale: 2. Receives TEKS-based instruction with allowable assessment accommodations			
Grade 8 - STAAR Math	STAAR	Student will take this version of the test with accommodations	Reminders to stay on task
Rationale: 2. Receives TEKS-based instruction with allowable assessment accommodations			
Grade 8 - STAAR Reading	STAAR	Student will take this version of the test with accommodations	Reminders to stay on task
Rationale: 2. Receives TEKS-based instruction with allowable assessment accommodations			
Grade 8 - STAAR Science	STAAR	Student will take this version of the test with accommodations	Reminders to stay on task
Rationale: 2. Receives TEKS-based instruction with allowable assessment accommodations			
Grade 8 - STAAR Social Studies	STAAR	Student will take this version of the test with accommodations	Reminders to stay on task
Rationale: 2. Receives TEKS-based instruction with allowable assessment accommodations			

End-of-Course Examinations

☒ Student is not enrolled in any course requiring an End-of-Course examination.

Additional Information Related to Accommodations for State Assessment(s):

No additional information needed

VII. CONSIDER EDUCATIONAL ALTERNATIVES:

Services which may be appropriate and for which the student is eligible were reviewed and discussed. Identify the general and special education alternatives and supplementary aids and services previously tried (t) or considered (c).

Efforts to Modify and Supplement the Student's Participation in the General Education Setting	Academic Results	Non-Academic Results	Effect on Classroom Environment
General education classroom core instructional interventions (Tier I)	None	Need for more intensive support	Difficulty with emotional/social interactions

☐ Yes ☒ No Were these efforts to modify and supplement the student's participation in the general education setting successful?

Reason efforts were not successful: Difficulty with emotional/social interactions

☒ Yes ☐ No Will the student receive an educational benefit from participation in the general education setting (including nonacademic benefit)?

Special Education Setting	Options provided in Academic setting	Options provided in Non Academic setting
Study Skills	Positive	Positive

VIII. CONSIDER LEAST RESTRICTIVE ENVIRONMENT AND CONSIDERATION OF RELATED FACTORS:

Note: Least Restrictive justifications should be completed before identifying the campus and / or instructional setting of the child who is to receive special education services.

The student will have available an instructional day commensurate with that of students without disabilities.

Name: ~~Elaine K.~~

ARD Meeting Date: 08/27/2020

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The ARD/IEP Committee recommends that the student receive ALL instruction and services in the general education setting with supplementary aids and services, based on a review of assessment data, new IEP, instructional modifications/supports necessary to implement IEP, and previous efforts/considerations (Complete supplement forms if applicable - Supplementary Aids and Services, Development of the BIP, PGP, etc.).

☐ Yes ☒ No

B. For students receiving special education services not on his/her home campus: (Address all) If additional space is needed use the deliberations page.

☒ Yes ☐ No The ARD/IEP Committee assures that the student's educational placement is as close as possible to his/her home campus.

☐ Yes ☒ No Student is excluded from non-academic and extracurricular activities.

In addressing the least restrictive environment, the ARD/IEP Committee considered the potential harmful effects on the student and on the quality of services provided to the student with disabilities if the student is removed from general education classes. The ARDC assures that benefits outweigh any potential harmful effects. Describe potential harmful effects:

Effects on the student: No harmful effects anticipated

Effects on the quality of services: No harmful effects anticipated

IX. ASSURANCES: (check all applicable items)

The ARD/IEP Committee assures that:

The services described in the ARD document are necessary to provide a Free and Appropriate Public Education (FAPE).

☒ Yes ☐ No

Supplementary aids and services, instructional accommodations and/or content modifications documented are based on peer reviewed research to the extent practicable and provided within general education programs with non-disabled peers to the greatest extent possible.

☒ Yes ☐ No

Described services are provided free of charge during the regular campus time schedule and within the district calendar of instructional days.

☒ Yes ☐ No

Non-academic and extracurricular activities are available to the maximum extent appropriate and subject to applicable fees that are normally charged to non-disabled peers.

☒ Yes ☐ No

X. PLACEMENT DETERMINATION: INSTRUCTIONAL SETTING / PROGRAM The student's educational placement is based on his/her IEP. 34 CFR §300.116; §300.118

The ARD/IEP Committee's determination of the appropriate educational placement for implementing a student's IEP must be based on the individual needs of the student.

Semester	Location	Instructional Setting	Placement
Fall 2020-2021	AIISD campus	Less than 21% of the school day in special education setting	41

Name: E [REDACTED] K [REDACTED]

ARD Meeting Date: 08/27/2020

ALLEN INDEPENDENT SCHOOL DISTRICT
Office of Special Education Services

XI. DELIBERATIONS:

ARD/IEP Committee

The deliberations page documents and summarizes the decisions made during the ARD/IEP meeting. This written summary is not intended to be an exact recording or script of all conversations or comments made during the meeting.

☐ Yes ☒ No ☐ N/A

Student led a portion of the ARD/IEP Committee Meeting.

☒ Yes ☐ No ☐ N/A

Discussion of supplements and additional forms included on the IEP is recorded in the deliberations.

Meeting start time: 11:00 AM

Meeting end time: 11:30 AM

MEETING INFORMATION

Purpose of the Meeting

The ARD/IEP Committee agreed to review the following: Review, Program (IEP)

EVALUATION INFORMATION

Full and Individual Evaluation Date: 11/06/2019

ADDITIONAL COMMENTS:

Introductions were made and the ARD team was verified. All information is kept confidential and will be shared with those staff members who have an educational right to know. The committee verified that the ARD meeting is not being recorded.

The purpose of the meeting is a review ARD.

Parent gave permission to proceed.

Laurie Ingle, LAPC, provided information regarding E [REDACTED] ESL status. E [REDACTED] qualifies to exit the ESL program based on her LAS Link score of above proficient. The LAS Link was taken 8/20/20. The ARD committee determined that E [REDACTED] will be exited from ESL. Parent is in agreement.

There was also a discussion E [REDACTED] schedule of services. E [REDACTED] did well in the PAS classroom and routinely attended her classes. The ARD committee determined that E [REDACTED] will attend all core classes in the general education setting. Parent is agreement.

Changes were made to the "Supplementary Aids and Services", "Consideration of Special Factors", "State and District-Wide Assessments", "Instructional Services", and "Placement" and sections of E [REDACTED] Annual ARD dated 11/15/19.

Assurances and ARD deliberations were read.

All ARD meeting attendees participated by teleconference because face-to-face meetings were not an option at this time. Both parents and administrator were in agreement with the proposed IEP. Signatures were obtained.

☒ This entire document represents the actions of this ARD/IEP Committee. 34 CFR §300.322

☒ Report (ECI or private school students who meet requirements) received today by parent/surrogate parent/adult student.

Copy of report mailed/sent by:

Michele Nanni

Educational Diagnostician

08/27/2020

Name

Title

Date

Name: E. [REDACTED] K. [REDACTED]

ARD Meeting Date: 08/27/2020

ALLEN INDEPENDENT SCHOOL DISTRICT
Office of Special Education Services

XII. SIGNATURE OF COMMITTEE MEMBERS AND OTHER PARTICIPANTS:

SIGNATURE AND TITLE Members	METHOD OF PARTICIPATION	POSITION	<i>Time excused from meeting</i>	Agreement Status
	Parent Permission to Proceed	Mother		Agree
Name: Najva Farshid				
	By Video Conference	Educational Diagnostician		Not Required
Name: Michele Nanni				
	By Video Conference	Assistant Principal		Agree
Name: Amy Sanford				
	By Video Conference	Special Education Teacher		Not Required
Name: Crystal Bunch				
	By Video Conference	LPAC Representative		Not Required
Name: Laurie Ingle				
	By Video Conference	General Education Teacher		Not Required
Name: Nathan Payne				

ARD/IEP Committee signatures indicate that members were present at the ARD/IEP meeting, participated in the discussion, and understood what was discussed. Each member further understands that the parent/adult student and the administrator's agreement status indicate agreement and/or disagreement with the decisions of the ARD committee.

PARENT/STUDENT RIGHTS:

☒ No ☐ Yes A copy of the Procedural Safeguards was provided to the parent/adult student.

The IEP report will be sent to him/her on 08/27/2020 by Michele Nanni

Given at the time of ARD/IEP meeting to: Sent via email

Student Name: Ericka K.



Allen Independent School District Department of Special Education Prior Written Notice

The parent/adult student must be provided with prior written notice each time the district proposes and/or refuses initiation or changes to the identification, evaluation, educational program, or educational placement of the student or the provision of a free appropriate public education. Prior written notice must be provided at least 5 school days in advance of the action(s) that are proposed and/or refused.

This Notice of Proposal/Refusal was provided to the parent/adult student on 08/27/2020.

The District proposes to initiate, implement, or change the identification, evaluation, or educational placement of the student; or the provision of FAPE to the student.

Describe the action Proposed / Refused by Allen ISD:
<input checked="" type="checkbox"/> The District proposed to implement all components of the IEP as determined by the ARD committee.
<ul style="list-style-type: none"> -Exit from ESL -Addition of Supplementary Aids and Services -Changes to special education instructional services
Explain why the action was Proposed / Refused by Allen ISD:
<input checked="" type="checkbox"/> The data reviewed and considered by the ARD committee supports the determination of services proposed.
<ul style="list-style-type: none"> -Ericka met the criteria to be exited from ESL -Ericka requires prompting/cuing/redirection and monitoring/observation/supervision which is provided through by her PAS placement -Ericka has done well in the PAS classroom in the 19-20 school year and routinely attended all out classes
Describe each evaluation procedure, assessment record, or report used as a basis for the Proposal / Refusal:
<input checked="" type="checkbox"/> Sections II, III of the ARD document contain this information
<ul style="list-style-type: none"> -Full and Individual Evaluation (FIE) -Parent and teacher information -School records including grades, discipline and attendance -PAS point sheets -Progress reports -LPAC data
Describe other options considered by the ARD committee and reasons why those were refused:
<input checked="" type="checkbox"/> The IEP document and deliberations includes all options discussed and reason(s) refused. In order for the district to provide a Free Appropriate Public Education (FAPE), implementation of the ARD committee decision are determined to be necessary to meet the student's needs.
Describe any other factors relevant to the Proposal / Refusal:
<input checked="" type="checkbox"/> None

Parents of a child with a disability have protection under the Procedural Safeguards of the Individuals with Disabilities Education Act (IDEA). Copies of the Procedural Safeguards may be obtained by contacting Allen ISD special education staff. The parent and/or

Student Name: ██████████ K ██████████



**Allen Independent School District
Department of Special Education
Prior Written Notice**

adult student may contact the sources below to obtain assistance in understanding the provisions of Part B of IDEA.

Sources for parents to contact to obtain assistance and understand the provisions of IDEA Part B:		
Allen ISD Special Services Director	Phone:	(972) 727-0490
Regional Education Service Center Director	Phone:	(972) 348-1442
Partners Resource Project Manager	Phone:	(800) 866-4726



Allen ISD Special Services

Notification of Parent/Guardian Rights and Protections for SHARS

The Allen Independent School District currently provides necessary school-based health and/or related services (SHARS) to your child at no cost to you, the parent/guardian. The School District participates in the State of Texas' School Health and Related Services (SHARS) fund reimbursement program through which Federal Medicaid funds are made available to school districts in the state to help cover the costs of providing necessary services to students. Local Education Agencies (LEAs), such as school districts, are eligible to receive federal Medicaid reimbursements for medically necessary services provided to their Special Education students when the services meet the requirements of the state's school-based Medicaid program and are provided in accordance with the student's IEPs. The Individuals with Disabilities Education Improvement Act of 2004 (IDEA) and the Family Educational Rights and Privacy Act (FERPA) require schools to notify parents that the district participates in this program. The district's participation in this program in no way impacts the services being provided to the student nor impacts the family's Medicaid benefits.

To ensure that your child has access to a free appropriate public education, as required by Federal law, the School District must:

- Obtain your written consent prior to disclosing your child's health information to the State SHARS program. At any time, you may notify the district in the event you no longer want them to utilize your student's information for the purposes of this program.
- May not require you to sign up or enroll in any public benefits or insurance programs.
- May not require you to pay any out-of-pocket expenses such as a deductible or co-payment for the costs of the health and/or related services the School District provides to your child.
- May not use your child's Medicaid or other public benefits if that use would:
 - Decrease available lifetime coverage or any other insured benefit;
 - Result in you or your family paying for services that would otherwise be covered by Medicaid or other public insurance programs and that are required for your child outside of the time that your child is in school;
 - Increase your insurance premiums or lead to the discontinuation of any public benefits or insurance; or
 - Risk the loss of your eligibility for home and community-based waivers, based on aggregate health-related costs.

EXHIBIT B

10/5/2020 FMS Crystal Bunch PAS Class - BST Documentation- Julie Young, Behavior Coach

Ms. Bunch and I were talking about how the student was needing extra support in her outclasses. I mentioned to her that if she needed more support with behavior that maybe she wasn't ready for level 2. Ms. Bunch stated that she already talked with Sandy about the situation. I told Ms. Bunch that this sounded good and if she pre-taught this with the student about checking in with her. Ms. Bunch said she had already talked to the student about it.

Ms. Bunch left to go support the student in her outclass. Ms. Bunch returned a few minutes later and stated that the student got very upset. Ms. Bunch stated that when she went to the back of the room the student turned around and just stared her down. Ms. Bunch also said that two other boys were acting up and she had corrected them. The student told MS. Bunch to "shut the fuck up." Ms. Bunch came back to the PAS room and said that she was unsure about bringing her back. I told her that with behavior like this "it would probably be best to go direct her and escort her back to the PAS room." Ms. Bunch stated that the student was wanting to return to the PAS room, so if she escorted her back that this would be rewarding the student.

Ms. Bunch decided to go ask her to return to the PAS classroom. I ask Ms. Bunch if she would need help. Ms. Bunch stated that the student is a runner but she would be good and the student would walk with her. Terreva restated that we are here to help.

Ms. Bunch and the student walked past the PAS classroom. Ms. Bunch reported that the student didn't want to come to the PAS room and wanted to talk with Amy Sandford AP. Ms. Bunch stated that she had already told the student that she had requested Amy Sandford to come talk with the student and that she was in a meeting and would call after she was done.

The student walked into the office and went to Amy Sandford's room and saw that she was busy, and went to stand by the secretary's desk. Ms. Bunch asked the student to return to the PAS room and the student didn't respond. I then explained to the student "I understand that you want to talk to Mrs. Sandford right now but she is in a meeting and right now we need you to come back to class. We then offered wait time, she didn't respond. I then offered two choices "You can walk by yourself, or we can help you." I offered wait time with no response, then offered two choices again. Student was standing and looking around the office. Office staff and other students were in the office. The student didn't respond so I said, "so you're choosing to be helped?" She gave no response. Terreva and I walked her back to the PAS classroom with limited physical prompting. The student walked with us and said "Are you serious!" I told her "if you can walk by yourself we will let you." She mildly resisted, but continued walking with us to the PAS classroom.

We walked into the PAS calm down room. When she was in the calm down room, Terreva and I stepped out of the calm down room to allow her space. I said, "we are going to step away and give you some room." The student started yelling "I want to call my mom." I told the student that as soon as she calms down and we can talk about what happened then she can call your mom. The student took her phone out of her pack back. Ms. Terreva and I asked her for her phone

and restated that when she was calm, she would be able to call her mom. We removed her phone and her backpack from the calm down area.

The student turned to us and started pushing, swinging and hitting at Ms. Terreva and myself. We blocked using the blocking pads. Ms. Terreva reminded her to stay calm and if she continued being physical we would need to hold her to keep her and us safe. She continued being aggressive towards us, so we implemented a therapeutic hold. The student settled down and when she started throwing up, we helped her by pulling her hair off her face and removed her mask. I stepped out of the calm down room and Terreva went to get her some water and paper towels. At that time the SRO and principal entered the room.

I was standing in the doorway and asked if she was ok and the student responded "shut the fuck up." The SRO responded, "she is only trying to help." The student started yelling, "let me talk to my mom." The Principal Mr. Wilhelm entered the calm down room and stated to the student, "you're about a 9, I need you to calm down."

I asked someone to call the nurse to come to check on the student. The nurse said she was fine. The student was calm so she and Mr. Wilhelm sat on the floor outside the calm down room.

When the student was calm for about 15 minutes I went over to the student and asked if she was ready to talk. The student yelled "why is she here?" She also yelled that she was going to punch me. I could tell that she didn't want to talk to me so I walked away. At the same time, Mr. Wilhelm told the student that's not going to happen right now and we need you to stay calm. I was standing on the opposite side of the room, when Mr. Wilhelm asked Terreva and I to step out of the PAS classroom.

Mr. Wilhelm and the student walked to the nurse's office to get her cleaned up.

Terreva and I returned to PAS room and there were no students or staff in the room. About 15 minutes later Mr. Wilhelm and the student came back to the PAS room. The student went to sit at her desk. Mr. Wilhelm told me that she was ready to talk. He asked what was needed. I told him that I wanted to debrief with her to talk about what happened and how we can come up with a plan to handle it better next time. He stated that he did not want her to be upset again. I told him that I would do whatever he wanted. He said he was ok with my plan. I debriefed with the student and I asked her "why were you so upset when you knew your teacher was coming in to check up on you." The student stated that she had no idea that Ms. Bunch was coming to her Science class to check on her. She told me that she had stared her down because she didn't even know what she was doing in there and that she was embarrassed because Ms. Bunch got after two boys in the class. She stated that the boys looked at her and started telling her to get her teacher out of here over and over. The student also told me that she asked to come back to the PAS room and Ms. Bunch would not let her. The student reported that when Ms. Bunch came to get her the second time she thought she was going to be on hold. I told the student that I was proud of her for asking to come back because PAS is her safe place. I explained to the student that just because you come to the Pas room or the calm down room doesn't mean you get on hold. I asked student if she said anything inappropriate to Ms. Bunch in Science and she

said, oh yea I told her to "shut the fuck up." I talked to the student saying that this probably wasn't the best choice. I also explained that this is what the blue calm down room is for so she can say anything and punch the walls if needed because this is her safe place. I reviewed the calm down expectations with her and she said that she really had no idea. I looked to see if the teacher had returned so we could discuss PAS consequences, but she was not in the room. I documented and reviewed with her the point penalties for not following directions and swearing. She then earned back positive points for accepting corrections and using a calm voice tone when talking to me about the behavior. I explained that when students are physically aggressive, this may earn them an on hold in PAS. But I told her, I would not put her on hold because she may not have known this. I explained that now that she knows, it could happen next time. She said okay. The student then told me that she was hungry. I offered her a snack and she picked chips.

I left the room to go look for the teacher. When I saw her in the hall, I told Ms.Bunch that everything was ok and if she was coming back to the PAS room. Ms. Bunch stated that it was not ok and that she had spoken with the student and everything was not ok. I asked Ms.Bunch to come and see for herself. She stated that she could not anyway because she was waiting on another student.

I returned to the PAS classroom and asked the student to go get her inclusion card from science so that she could earn her inclusion points. She said ok and went to get her card. Melinda, lead behavior specialist came in and said that we could leave and she would stay.

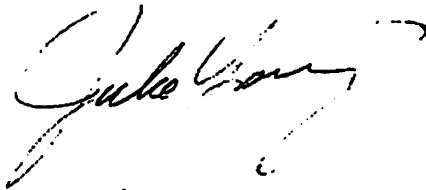
A handwritten signature in black ink, appearing to read "Julie Bunch". The signature is stylized with a large, sweeping initial "J" and a long, horizontal stroke extending to the right.

EXHIBIT C

10/5/2020- FMS Crystal Bunch PAS Class- BST Behavior Coaches
documentations- Terreva Bryant

Ms. Bunch let Julie and I know that she was going to go into the students' science class to observe her. Julie asked Ms. Bunch if she had pre-taught her that she would be coming to her class. Ms. Bunch stated that she has already pre-taught the student.

Ms. Bunch went to go observe and a few minutes later she returned to the PAS classroom and began to let Julie and I know that once she entered the classroom the student stared her down as she proceeded to the back of the room. Ms. Bunch reported to us that there were a couple of boys in the classroom making noise while the science teacher was teaching and she began to correct them. Ms. Bunch expressed that E was upset and told her to "shut the fuck up."

Julie and Ms. Bunch discussed the behaviors that occurred in Science and that it might be best for her to bring her back to the PAS classroom. Ms. Bunch then said " she didn't think that she should be able to come to the PAS classroom due to it being a reward for her behavior since she likes it there.

Julie asked Ms. Bunch if she thought E would walk back by herself. Ms. Bunch stated that she is a runner but she would walk back to the PAS class. I asked Ms. Bunch if she would like for us to assist her from a distance in case she ran and she said "no"

In the PAS hallway, I heard Ms. Bunch asked E to come back to the classroom and stated that she already talked to the Assistant Principal, Amy Standford and she knew that she was coming to pull her out of class. E proceeded to the office as Ms. Bunch asked her to come back. Ms. Bunch stepped in the PAS classroom door and expressed to Julie and me that she was refusing to come back to class.

Ms. Bunch, Julie and I walked to the office. E was trying to go talk to Amy Stanford, AP.

Ms. Bunch asked her to come back to the classroom and she once again refused, expressing that she wanted to talk to Amy. Julie let E know that she understands that she wants to talk to Amy but right now she needs to go back to class. E then said no, that she was going to stay and wait to talk to her." Julie gave E two options that she could walk back to the room by yourself or we could help her. We gave her a moment to make a choice.

She didn't respond and Julie offered her the two choices. The student didn't respond for the second time. Julie then said, " so you are choosing to be helped to the room." Julie and I walked her back to the room with limited physical prompting. E said, " Are you serious?" Julie said" If you walk we can let you walk by yourself"

We walked her to the PAS calm down room and once she got in the room E began yelling that she wanted to call her mother. Julie let her know that as soon as she is calm and able to talk about what happened that she would be able to call mom.

E took her phone out of her bag. Julie and I removed her phone and other items that she had in the calm down room. The student was pushing, hitting, and swinging at us. We got a blocking pad to put between us and the students' hits. Ms. Bunch started talking to E and said " why are you doing that towards me? I didn't do anything." I then reminded the student that if she continues to hit staff that she will be restrained for safety reasons. She continued hitting so we started the physical holding skill. The student started throwing up so I removed her mask and we stayed close to monitor her. I called for Ms. Bunch but she didn't respond.

I came out of the calm down room and no one was in the room and at that time the Principal () and the SRO entered the room.

I left the room to go get E a wet paper towel and a bottle of water. Julie asked E if she was okay and wanted a water bottle and she responded "shut the fuck up" and grabbed the water.

SRO responded she's only trying to help. The student got upset and started yelling "let me talk to my mom." Mr. Wilhelm (principal) went into the calm down room with the student to try to calm her down. He said "let's try to calm down. You're at a level 9 and we need you to calm down."

Julie asked for the nurse to come down. The nurse checked E and she was calm. E and Mr. Wilhelm came out of the calm down room and began to sit on the floor.

After a few minutes of the student calming down, Julie asked E if she was ready to talk. E began to yell "why is she here? Don't talk to me. I will punch her." Julie could see she was not ready and she walked away.

Shortly after the principal asked for Julie and me to leave the classroom because we were triggers for her.

While standing in the hallway, I saw Ms. Bunch coming out of another classroom and I asked if she was okay. At that point, she stated, "she is not okay and nothing about it was okay and she wants no part of it."

The principal and the student walked out the door to go to the nurse's office to get her cleaned up. Once Mr. Wilhelm returned to the classroom with E he asked Julie what is it what she is needing for her to do. Julie explained that we need to debrief with her and talk about what happened. Mr. Wilhelm asked why because he just didn't want her to get upset again. Julie did express this is part of the process but she said that she was willing to do whatever he needed her to do at this point. Mr. Wilhelm said that he understood and that the student was ready to talk.

We went back to the classroom and Julie began briefing with E and asked her why were you upset, you knew your teacher was coming in to observe you in class.

E explained that she didn't know about her coming into the classroom and that Ms. Bunch came into her science class and E instantly started giving her the stare down. E. said she was embarrassed by Ms. Bunch and she got upset when she corrected the two boys in her class because the boys turned to E and told her to "get your teacher out of here." E .said she asked Ms. Bunch to come back to PAS and she (Ms. Bunch) told her "no"

E said Ms. Bunch left the class and when she returned later she thought she was being pulled out of science and was going to be put ON HOLD. Julie let E know that just coming to the PAS room or even the calm down room doesn't mean you are going to be put on hold. Julie reassured E. that coming to the PAS is her safe place and that she was proud of her for advocating for herself that she wanted to come back.

Julie then asked E if she said anything inappropriate to your teacher. E said, " Oh yeah, I told her to shut the fuck up." Julie said " that's probably wasn't the best choice"

Julie further then explained to E that this is what the blue room is for, anything you say in the calm down room is your safe place. Julie then went over the expectations of the calm down room and being put ON HOLD. E said " Really, I had no idea."

The teacher still had not returned to the classroom. Julie went out in the hallway to talk to Ms. Bunch. E mentioned she was hungry and that she had thrown up on her shoes. Julie offered her a snack and I asked her if she would like for me to clean them. E said, yes, that she would like takis and she handed me her shoes. I cleaned her shoes and Julie gave her a snack. Julie asked her for her green card which she said that it's still in her Science class. Julie allowed her to go get her Green card.

Melinda, the behavior specialist came to the PAS room and said that she could stay and that we could leave. So I left.

EXHIBIT D



Allen ISD Special Services Written Summary of Restraint Use

Student Name: Ericka Komeilizdeh

ID#: [Click here to enter text.](#)

Form completed by: Terreva Bryant

Campus: Ford Middle School

Grade: 8th

Date of Restraint: 10/5/2020

Restraint Instance Number: 1

Time Restraint Began: 11:53

Time Restraint Ended: 11:58

Type of physical restraint used:

☐ CPI Children's Control Position

☒ CPI Team Control Position

☐ CPI High-Level Seated/Standing Position

Location of restraint: A101

Staff member name(s) who administered restraint: Julie Young, Terreva Bryant

Student's behavior that prompted restraint:

☐ Imminent serious harm to self

☒ Imminent serious harm to others

☐ Imminent serious harm to property

Description of student behavior(s) that prompted physical restraint: Pushing, Swinging, Hitting Staff

Activity/Subject student was engaged in prior to behavior that resulted in physical restraint: Student refused to follow directions, non compliance and classroom disruption

Efforts made to de-escalate the situation:

☒ Calming techniques ☒ Choices provided ☒ Verbal interaction reduced ☒ Verbal redirection ☐ Demands reduced

☐ Other (specify): [Click here to enter text.](#)

Alternatives to restraint that were attempted:

☐ Removed other students

☒ Voluntarily moved student to alternate location

☐ Used protective item

☐ Other (specify): [Click here to enter text.](#)

At the end of the restraint, the following observation of student was noted: Talking to Principal, Assistant Principal, and SRO. Nurse came to check on her and she was given water.

A nurse visit was completed following the restraint: ☒ Yes ☐ No, explain. [Click here to enter text.](#)

Administrator Notification:

Administrator Name: Doug Wilhelm / Amy Sandford

☒ Principal

☒ Assistant Principal

Notification type:

☐ Written – Date Notified: [Click here to enter a date.](#)

☐ Verbal (by phone) – Date Notified: [Click here to enter a date.](#)

☒ In Person – Date Notified: 10/5/2020

Parent Notification:

Notification type:

☒ Written – Date Notified: 10/6/2020

☒ Verbal (by phone) – Date Notified: 10/5/2020

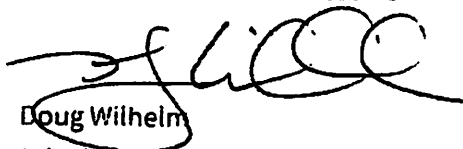
☐ In Person – Date Notified: [Click here to enter a date.](#)

EXHIBIT E

*Ford MS Principal***Komeilizadeh, Ericka**

10/5/2020

- At approximately, 12:00 PM on Monday, December 5, Ms. Bunch came to the cafeteria, where Amy Sanford and myself were monitoring lunch, and informed me that my assistance was needed in the PAS room. Upon arrival, I observed that Officer Yanez was standing in the doorway to the "Quiet Room". When I entered the Quiet Room, I observed Ericka pacing back and forth saying "I just want to call my mom". there was vomit on the floor and a small amount in Ericka's hair and on the front of her shirt. I proceeded to make efforts to calm Ericka down. I told her that she could call her mom but she needed to calm down. I said "you're at a 9 and I need you to come down to a 2". I continued to use that technique several times to get Ericka to calm down. After working with Ericka for about 15 minutes to calm down, we had our nurse, Valerie Schwegmann, do a physical examination. Mrs. Schwegmann did not observe any physical injuries. I concurred with Mrs. Schwegman evaluation and did not observe any physical injuries. Ericka was still very upset, so I continued to work with her to get her to calm down. I was eventually able to convince Ericka to sit on the floor, outside of the Quiet Room. I continued to have side conversations with her to help distract her from the situation. This helped Ericka get to a relatively calm state. At that point Mrs. Sanford and I removed Ericka from the PAS room to help get her cleaned up. Mrs. Sanford obtained a change of clothes for Ericka and escorted Ericka to the restroom. Ericka was able to change into a fresh set of clothes and Mrs. Sanford helped to get the small amount of vomit out of her hair. We took Ericka outside and sat with her at the picnic tables outside of the gym entrance. By that point Ericka was completely calm. We then escorted Ericka back to the PAS classroom.
- After the Ericka was returned to the PAS classroom, I had Ms. Bunch come to my office to debrief the situation. I directed Ms. Bunch to call Ericka's mother and explain the situation and then allow Ericka to talk to her mom.
- I observed Ericka talking to her mom just before dismissal with Ms. Bunch standing at her side.
- Ericka's mother, Ms. Farshid, came up to school at approximately 4:00 PM to discuss the events of the day. Mrs. Sanford and myself met with Ms. Farshid outside of the front of the building. We allowed Ericka to explain the events to her mother and verified that the events were accurately described based upon our observations. Mrs. Sanford and I then continued talk through the situation with Ms. Farshid since she was upset. Mrs. Farshid asked if "they could do that" referring to the restraint. I explained that it is allowable based upon the situation. Ms. Farshid said that that she wanted Ericka removed from PAS : made attempts to convince Ms. Farshid that the PAS program was where Ericka needed to be and that the program will help Ericka and continued to talk to Ms. Farshid to provide her with reassurance. i also explained that an ARD meeting and committee agreement would be required to change Ericka's placement. By the time Ms. Farshid and Ericka left, Mrs. Sanford and I believed that the situation with Ms. Farshid had been resolved.



Doug Wilhelm
Principal

Ford Middle School, Allen ISD

EXHIBIT F

Ford MS Asst. Principal

Regarding the events on 10/5/20:

On Monday, October 5, 2020, Terreva Bryant, a new behavior coach paraprofessional to the Ford campus, introduced herself to me around 8:45am. She then proceeded to go to the PAS classroom. Julie, another district behavior coach paraprofessional, was also already on campus in the PAS room. At lunch, Crystal Bunch, the PAS teacher, walked to the cafeteria to find me at lunch duty. She informed me that I needed to come to the PAS room right away. On the way to the PAS room, she informed me that the behavior coaches had Ericka Komeilizadeh in the blue padded room and were restraining her. When I got to the PAS room, the SRO was standing in the doorway of the blue room. Mr. Wilhelm had just gotten to the PAS room as well. Ericka was crying and yelling, "Let go of me, I want to call my mom." When I looked in the blue room, there was vomit on the floor, and on Ericka (her hair, clothes, mask and shoes.) Mr. Wilhelm entered the blue room to try to console Ericka. He said, "You're at a level 10, and I need you to bring it down to about a level 2." The behavior coaches moved to the classroom area of the PAS room. Mr. Wilhelm continued to try to console Ericka. While he was working to calm her down, Ms. Bunch remained at the far side of the room, and at some point walked into the hallway just outside the PAS room. She told me she was very upset about the way the coaches had handled a situation with Ericka in the office. I did not witness the interaction of the behavior coaches that led to them escorting Ericka back to the PAS room and restraining her.

I spoke to Ms. Bunch in the hallway for several minutes. I reentered the room and Mr. Wilhelm had calmed down Ericka. The behavior coaches were standing on the far side of the room. Ericka was crying and sitting on the floor near the cabinet outside of the blue room next to Mr. Wilhelm and near Officer Yanez. I asked Terreva to get a wet paper towel and some water so we could wipe the vomit off of Ericka. The nurse was called to look at Ericka and assess her. Neither the nurse nor I saw any visible injuries. After the nurse checked her out, we walked her to the girls' restroom so she could change her clothes. I helped her get the vomit out of her hair and off her shoes. After she changed clothes, we walked with Mr. Wilhelm and sat outside for a few minutes. Mr. Wilhelm told her that she would need to visit with the behavior coaches for a few minutes and that she could call her mom after that. Ericka complied with the directions and spoke with the behavior coaches. I was not present for that conversation. At the end of the school day, Ericka reported that she had spoken to her mom on the phone in Ms. Bunch's room and was waiting for her mom to come pick her up. Mr. Wilhelm and I waited with Ericka outside the building until her mom arrived to pick her up. We visited with her mom for several minutes to let her know about the events of the day. Her mom was very concerned about Ericka upon arriving but was much calmer when the conversation ended.



Amy Sanford
Assistant Principal Ford Middle School

EXHIBIT G

Ford MS SRD

On 10/05/2020 I, Officer R. Yanez, was in the cafeteria of Ford Middle School assisting with lunch duties. Ms. Bunch walked into the cafeteria to inform me of a situation occurring in the PAS classroom that required my assistance. Both Ms. Bunch and I walked to the classroom where two behavioral coaches were with a student, Ericka Komeilizadeh.

Upon arrival inside the classroom, I observed Ericka laying on the floor of the padded room crying. I observed vomit on the floor next to her. One of the behavioral coaches retrieved a bottle of water and handed it to Ericka. Ericka took several drinks of the water and spit it out onto the floor to rinse her mouth.

The coaches advised me the student did not follow their instructions earlier and had to be physically escorted to the classroom from the school's front office. Once back in the classroom the coaches advised Ericka was physical with them causing them to restrain her inside the padded room. The physical exertion from the restraint caused Ericka to vomit onto the floor.

While I was on scene in the classroom Ericka was no longer being restrained. She was still highly emotional crying and asking to call her mother. I remained at the door of the padded room attempting to calm Ericka while school principals responded to the classroom. Both Principle Wilhelm and Asst. Principle Sanford were able to speak with Ericka to calm her down. The school nurse responded to check on Ericka as well. Ericka was later given a set of clean clothing to change into.

This incident from the time of my arrival in the classroom was captured on my City of Allen issued body worn camera.

R. Yanez #4416

Roberto Yañez | School Resource Officer

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